

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 SCA-01

DRC-01 /091 W

----- 082264

R 110512Z JUL 74

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 4938

INFO SECDEF WASHDC

CDRUSMACTHAI SPT GP CP SAMAE SAN

CDRUSMACTHAI BANGKOK

CINCPAC HONOLULU

CINCUSARPAC FT SHAFTER HI

DA WASHDC

AMCONSUL CHIANGMAI

AMCONSUL UDORN

AMCONSUL SONGKLA

13TH AF ADVON

USSAG

UNCLAS SECTION 1 OF 2 BANGKOK 11218

E.O. 11652: N/A

TAGS: MILI, TH

SUBJECT: DESECRATION OF THAI FLAG BY U.S. ARMY ENLISTED MAN

REF: BANGKOK 11167

PRACHA KUNAKASEM DIRECTOR GENERAL OF THE INFORMATION DEPARTMENT
OF THE MINISTRY OF FOREIGN AFFAIRS AND ITS SPOKEMAN, HELD A
PRESSCONFERENCE JULY 10. FOLLOWING IS AN UNOFFICIALS
USIS TRANSLATION OF HIS COMMENTS ON THE THAI FLAG DESECRATION
INCIDENT.

PRACHA: IN REGARD TO THE INCIDENT IN WHICH PRIVATE KENNETH
RALSTON PULLED DOWN THAI FLAGS AND THREW THEM AWAY IN A KLONG,
THE AMERICAN EMBASSY HAS SENT A LETTER EXPRESSING DEEP
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REGRET OVER AND APOLOGIZING FOR HIS ACTIONS TO THE MINISTER

OF FOREIGN AFFAIRS. THE LATEST REPORT I HAVE RECEIVED IS THAT THE CASE WILL BE HEARD IN COURT TODAY IN ORDER FOR THE COURT TO GIVE JUDGMENT. IT WAS PLANNED ORIGINALLY FOR THE CASE TO BE HEARD IN COURT ON FRIDAY, BUT THE DATE WAS CHANGED TO TODAY. FROM FACTS I HAVE BEEN INFORMED OF, THE POLICE OFFICER ON DUTY IN THE TUNGMAHAMEK POLICE STATION CALLED THE SUSPECT UP FOR INTERROGATION. AFTER HE HAD BEEN INTERROGATED, THE U.S. AUTHORITIES REQUESTED FOR HIM TO BE RELEASED ON BAIL AND FOR THEM TO DETAIN

HIM IN CUSTODY UNTIL THE CASE WAS HELD IN COURT, WHEN AMERICAN AUTHORITIES WOULD TAKE HIM OVER TO THE COURT.

I DO NOT, HOWEVER, KNOW WHAT REASON THE POLICE DEPARTMENT HAS FOR REQUESTING THE COURT TO HEAR THE CASE AT AN EARLIER DATE THAN WAS ORIGINALLY FIXED.

(NOTE: AFTER THE HEARING OF THE CASE IN THE SOUTH BANGKOK DISTRICT COURT THIS MORNING, JULY 10. THE COURT SENTENCED THE DEFENDANT TO SIX MONTHS IMPRISONMENT AND A FINE OF 1,250. BAHT. THE COURT AT FIRST SENTENCED HIM TO IMPRISONMENT OF ONE YEAR AND A FINE OF 2,500 BAHT, BUT AFTER CONSIDERATION OF THE DEFENDANT ADMITTING HIS GUILT, THE SENTENCE OF IMPRISONMENT WAS REDUCED BY HALF TO SIX MONTHS AND THE FINE WAS REDUCED BY HALF TO 1,250. BHAT. (U.S. \$62.50)

REPORTER: WHY WAS HE ALLOWED TO BE RELEASED ON BAIL?

PRAHHA: I DON'T KNOW BECAUSE IT CONCERNS THE COURT AND THE

POLICE. I, HOWEVER UNDERSTAND THAT IN REGARD TO BAIL APPLIED FOR ANY DEFENDANT, IRRESPECTIVE OF NATIONALITY, IT IS UP TO THE AUTHORITIES CONCERNED TO USE THEIR JUDGMENT. WHEN ANY THAI COMMITS AN OFFENSE AGAINST THE LAW, AN APPLICATION FOR HIM TO BE RELEASED ON BAIL CAN BE GRANTED, ESPECIALLY IN ANY CASE IN WHICH THE SUSPECT ADMITS HIS GUILT. YOU SHOULD REALLY PUT THAT QUESTION TO THE POLICE DEPARTMENT. I UNDERSTAND THAT OFFICIALS IN CHARGE OF INVESTIGATIONS AND INTERROGATIONS OF RESPECTIVE POLICE STATIONS HAVE THE AUTHORITY TO GRANT OR REJECT APPLICATIONS FOR SUSPECTS TO BE RELEASED ON BAIL.

REPORTER: IS THERE ANY AGREEMENT WITH THE MINISTRY OF
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FOREIGN AFFAIRS IN REGARD TO FOREIGN SERVICEMEN STATIONED IN THAILAND?

PRACHA: THERE IS NONE. I HAVE INFORMED YOU BEFORE THAT WE HAVE NO STATUS OF FORCES AGREEMENT WITH THE UNITED STATES. MILITARY ATTACHES ARE A DIFFERENT MATTER ALTOGETHER, AND THEY ENJOY DIPLOMATIC RIGHTS AND DIPLOMATIC IMMUNITY. BUT EVERY AMERICAN GI WHOSE NAME IS NOT IN THE LIST AS A MEMBER OF

OFFICIALS OF THE OFFICERS OF MILITARY ATTACHES IS NO DIFFERENT FROM ANY ORDINARY FOREIGNER, SHOULD ANY OFFENSE BE COMMITTED AGAINST THAI LAW IN THAILAND, HE IS 100 PERCENT UNDER THAI LAW AND ACTION UNDER THAI LAW WOULD HAVE TO BE TAKEN AGAINST THE OFFENDER. THIS IS WHY WE REFUSE TO CONCLUDE ANY STATUS OF FORCES AGREEMENT. AT PRESENT WE POSSESS 100 PERCENT RIGHT TO TAKE ACTION AGAINST OFFENDERS UNDER THAI LAW, BUT IF A STATUS OF FORCES AGREEMENT EXISTED WE WOULD NO LONGER POSSESS THE RIGHT TO TAKE ACTION AGAINST OFFENDERS UNDER THAI LAW IN FULL.

REPORTER: DID THE AMERICAN AMBASSADOR GIVE ANY REASONS FOR THE REGRETS HE EXPRESSED OVER THIS INCIDENT?

PRACHA: IS THERE ANY NEED TO GIVE ANY REASON WHEN EXPRESSING REGRETS? HE EXPRESSED REGRETS OVER THE INCIDENT THAT OCCURRED. FROM WHAT I HAVE HEARD TWO INCIDENTS OCCURRED--IN SAYING THIS I AM NOT THE OFFICER ON DUTY IN THE POLICE STATION--BUT FACTS I HAVE HEARD IS THAT THIS YOUTH WAS BEATEN UP OR PHYSICALLY ATTACKED, OR SOMETHING LIKE THAT, AND HE WAS MOST PROBABLY UNDER THE INFLUENCE OF LIQUOR ALSO. HE THEREFORE DAMAGED PROPERTY OF PEOPLE IN THAT AREA, SMASHING GLASS PANES OF SEVERAL SHOPS.
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REPORTER: WHAT IS YOUR VIEW REGARDING THIS INCIDENT?

PRACHA: IN REGARD TO THIS INCIDENT, ACTION TAKEN AGAINST THE PERSON WHOM COMMITTED AN OFFENSE AGAINST THAI LAW WILL HAVE TO BE INACCORDANCE WITH THAI LAW PROCEDURES.

REPORTER: (INAUDIBLE)

PRACHA: NO. THIS IS AN OFFENSE COMMITTED AGAINST THE LAW GOVERNING THE FLAG. GO AND READ SECTION 118 OF THE CRIMINAL CODE.

REPORTER: FROM THE ANGLE OF THE LAW GOVERNING THE FLAG, THE FEELING IN GENERAL IS THAT IT CONSTITUTES AN INSULT.

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PRACHA: DOES THAT MEAN YOU WILL PLAY UP THIS INCIDENT AND MAKE IT ANOTHER "DROP OF HONEY?"

REPORTER: NO, BUT I WISH BETTER UNDERSTANDING TO EXIST BETWEEN OUR TWO NATIONS.

PRACHA: SO YOU WANT BETTER UNDERSTANDING TO EXIST BETWEEN OUR TWO NATIONS? HE COMMITTED AN OFFENSE AND HE HAS ADMITTED HE COMMITTED OFFENSES...

REPORTER: I FEEL THAT IF HE HAS BEEN MALAYSIAN OR OF ANY OTHER NATIONALITY....

PRACHA: DOES THAT MEAN THAT IF HE WERE MALAYSIAN ONO CASE WOULD HAVE BEEN FILLED AGAIN HIM IN A THAI COURT OF LAW, OR SOMETING LIKE THAT?

REPORTER: NO. I AM SPEAKING ABOUT THE VIEW OF THE MINISTRY OF FOREIGN AFFAIRS IN REGARD TO PERSONS WHO ARE NATIONALS OF A WORLD POWER.

PRACHA: DON'T YOU WANT ACTION TO TAKEN UNDER THAI LAW?

REPORTER: WHAT KHUN PRICHA MEANT WAS TO ASK YOU WHAT YOUR VIEW AND FEELING ARE

PRACHA: I FEEL DEEP REGRETS ALSO IN REGARD TO THE FEELINGS OF AMERICANS OVE THE INCIDENT IN WHICH THAI STUDENTS DELIBERATELY BURNT UP AN AMERICAN FLAG. WHAT AMERICANS FELT THEN IS NO DIFFERENCE FROM WHAT THAIS FEELS NOW. IN REGARD TO THIS INCIDENT, THE AMERICAN AMBASSADOR SENT A LETTER OF APOLOGY AT ONCE IN WHICH HE ACCEPTS FULL RESPONSIBILITY. THE MINISTRY OF FOREIGN AFFAIRS STATES THAT ALL ACTION TAKEN AGAINST THIS PERSON MUST BE IN ACCORDANCE WITH THAI LAW. SINCE A CASE HAS BEEN FILED IN COURT, IT DEPENDS ON THE COURT NOW.
KINTNER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY PERSONNEL, PRESS COMMENTS, FLAG DISPLAY REGULATIONS, CIVIL DISORDERS, ARRESTS, TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BANGKO11218
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740185-0018
From: BANGKOK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740759/aaaabykn.tel
Line Count: 233
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: BANGKOK 11167
Review Action: RELEASED, APPROVED
Review Authority: shawdg
Review Comment: n/a
Review Content Flags:
Review Date: 10 OCT 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10 OCT 2002 by ThomasVJ>; APPROVED <17 JAN 2003 by shawdg>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DESECRATION OF THAI FLAG BY U.S. ARMY ENLISTED MAN
TAGS: MILI, TH, US, (RALSTON, KENNETH R)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005